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Mission Support and Test Services LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SALVADOR MORA, individually,

Plaintiff,

vs.

MISSION SUPPORT AND TEST SERVICES
LLC, a foreign limited-liability company;
DOES I-X; and ROE BUSINESS ENTITIES
I-X, inclusive,

Defendants.

Case No. 2:21-cv-01290-GMN-DJA

**STIPULATION AND ORDER TO
EXTEND DISCOVERY PLAN AND
SCHEDULING ORDER DEADLINES**

[THIRD REQUEST]

Defendant Mission Support and Test Services LLC (“Defendant”) by and through its counsel, Jackson Lewis P.C., and Plaintiff Salvador Mora (“Plaintiff”) by and through his counsel, Maier Gutierrez & Associates, hereby stipulate and agree to extend the Discovery Plan and Scheduling Order Deadlines in this case as follows:

1. On September 21, 2021, the Court entered an Order granting the Stipulated Discovery Plan and Scheduling Order submitted by the parties. ECF No. 14.

2. On August 24, 2021, the Court scheduled an Early Neutral Evaluation Conference (“ENE”) on November 19, 2021. ECF No. 11.

3. Defense Counsel identified a scheduling conflict because a Hearing Officer had already ordered counsel to appear in another case for hearing on November 19, 2021, before the State of Nevada, Department of Administration, Appeals Division. Thus, the Court provided the parties with alternative dates to reschedule the ENE. The first available date for both parties was

1 January 5, 2022, and on September 29, 2021, the Court rescheduled the ENE to January 5, 2022.
2 ECF No. 16.

3 4. Given the delay in conducting the ENE, the parties requested to extend the
4 discovery deadlines as set forth in the September 21, 2021 Order (ECF No. 14) to invest in
5 reaching a resolution prior to incurring extensive discovery expenses, and the Court granted the
6 discovery extension. ECF Nos. 17-18.

7 5. On January 4, 2022, the Court indicated that it had an unavoidable conflict with
8 the ENE date, and rescheduled the ENE for February 17, 2022. ECF No. 21.

9 6. Given that the Court rescheduled the ENE, and still desiring to invest in reaching a
10 resolution prior to incurring extensive discovery expenses, the parties requested that the Court
11 extend their discovery deadlines. ECF No. 23.

12 7. The Court granted the parties second request for a discovery extension on January
13 6, 2022. ECF No. 24.

14 8. However, on February 13, 2022, the Court indicated that it had an unavoidable
15 conflict with the ENE date and rescheduled the ENE for March 17, 2022. ECF No. 25.

16 6. The parties continue to desire to invest in reaching a resolution in this case prior to
17 incurring extensive discovery expenses and want to avoid the time and expense of conducting
18 certain discovery, particularly depositions, prior to the ENE on March 17, 2022, while preserving
19 sufficient discovery time.

20 6. Thus, the parties stipulate and agree to extend the deadline for the close of
21 discovery for thirty (30) days to allow the parties to complete written discovery and conduct
22 necessary depositions following the ENE on March 17, 2022.

23 7. This is the parties' third request for an extension.

24 **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

25 On September 21, 2021, Plaintiff and Defendant each served initial disclosures. On
26 October 27, 2021, Plaintiff served Plaintiff's First Set of Requests for Production of Documents
27 and Interrogatories on Defendant, and on December 10, 2021, Defendant served responses to the
28 same. Defendant also served its first supplemental disclosures on December 10, 2021 and served

1 its second supplemental disclosures on January 4, 2021. Defendant plans to serve written
 2 discovery to Plaintiff. The parties each plan to schedule and take depositions of witnesses, and
 3 conduct any other discovery, after the ENE on March 17, 2022 if a resolution is not reached.

4 **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

5 The parties have not yet completed discovery and anticipate that additional time will be
 6 needed for written discovery and depositions following the ENE on March 17, 2022. For the
 7 above stated reasons, the parties request that the discovery deadline be extended thirty (30) days
 8 from July 7, 2022 to August 8, 2022.

9 **PROPOSED SCHEDULE**

10 The parties stipulate and agree that:

11 1. Discovery: The discovery period shall be extended thirty (30) days from July 7,
 12 2022 to August 8, 2022. The deadline to request an additional extension to the discovery period
 13 shall be July 18, 2022, twenty-one (21) days before the scheduled discovery cut-off.

14 2. Expert Disclosures: The deadline to disclose expert witnesses shall be extended to
 15 June 9, 2022. The deadline to disclose rebuttal experts shall be extended to July 11, 2022.

16 3. Dispositive Motions: The parties shall have through and including September 7,
 17 2022, to file dispositive motions.

18 4. Pre-Trial Order: If no dispositive motions are filed, the Joint Pretrial Order shall
 19 be filed thirty (30) days after the date set for the filing of dispositive motions. In the event
 20 dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until
 21 thirty (30) days after decision on the dispositive motions or by further order of the Court.

22 5. Extensions or Modifications of the Discovery Plan and Scheduling Order: In
 23 accordance with Local Rule 26-3, a stipulation or motion for modification or extension of this
 24 discovery plan and scheduling order and any deadline contained herein, must be made not later
 25 than twenty-one (21) days before the subject deadline.

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6. This stipulation and order is sought in good faith and not for the purpose of delay. This is the parties' third request for an extension.

Dated this 15th day of February, 2022.

JACKSON LEWIS P.C.

MAIER GUTIERREZ & ASSOCIATES

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IT IS SO ORDERED.

Daniel J. Albregts
United States Magistrate Judge

DATED: February 16, 2022